

personal care from lawyers who care

July 20, 2009

Ms. Stephanie A. Strength
Environmental Protection Specialist
USDA Rural Utilities Service
1400 Independence Avenue SW
Mail Stop 1571
Washington, DC 20250-1571



Attorneys

Mark W. Delehanty
JoMarie L. Morris*
Carole A. Pasternak
Shareholders

Anne M. Dennison**
Associate

Michael D. Klampe
[1947-2001]

Re: CapX 2020
Hampton-Rochester-LaCrosse Route Options
Affected Kroening properties in Olmsted County:
R73.11.23.1033364; R73.10.42.033357; R73.11.33.033366; and R73.14.22.03387

Dear Ms. Strength:

Recently I wrote you regarding my client, Dr. David Lowe. I have now also been retained to represent his neighboring property owner, Randy Kroening. Mr. Kroening's home is also threatened by the east-most proposed route options for the 161 kV transmission line running from the southeast Rochester/Chester substation northwest. A CapX 2020 map and plat book page are enclosed here showing the Kroening homestead.

Mr. Kroening owns and farms over 300 acres in four adjoining parcels sections 11, 12 and 14 in Haverhill Township, Olmsted County, Minnesota. The eastern-most of the two transmission line route options is proposed to occupy one and one-quarter miles of the Kroening property (all of the west boundary of section 11, and the west boundary of the northwest quarter of the northwest quarter of Section 14).

The proposed line would be unsightly and an obstacle and intrusion on his farming operation. It would cross through and over a century-old grove of oak and other hardwoods adjacent to his home. Mr. Kroening has lived in this family farm home all his life, and the homestead is the center of his farming operation. It is a beautiful, rural setting that would be despoiled by a high power line, and the necessary long-term maintenance required to keep the right-of-way clear of mature trees.

I-245-001 More significantly, the proposed line is sited to pass within one hundred feet or so of his home. If the transmission line is truly over 150 feet tall, then the line as proposed would be closer to his

LAW OFFICES OF **KLAMPE, DELEHANTY & MORRIS, LLC**

Broadstreet Building | 300 First Avenue NW | Rochester, MN 55901 | 507 288 2447 | fax 507 288 4412 | 800 972 2447 | www.klampelawfirm.com

*Also licensed in Wisconsin

**Also licensed in Iowa

I-245-001

Your comment has been noted. Potential impacts to land use will be addressed in the Draft Environmental Impact Statement. The Draft Environmental Impact Statement will be available on the RUS website at: <http://www.usda.gov/rus/water/ees/eis.htm>. Comments will be solicited after its publication.

Stephanie Strength
July 20, 2009
Page 2

home than the height of the line. His home would be within the necessary setback zone. This poses an unacceptable safety risk.

I-245-002

Mr. Kroening wants it to be clearly understood that he will not willingly accept any power line easement or intrusion onto his property, and will take all available legal steps to protect and keep his home. Clearly the other, west-most alternative route for this power line is the better option. It has an existing People's Coop Power right-of-way, is shorter and straighter, and poses less threat to existing homes.

Respectfully submitted,

KLAMPE, DELEHANTY & MORRIS, LLC



Mark W. Delehanty

MWD/jc
Enclosures

Cc: Randy Kroening
CapX 2020, attn: Jim Alders, 414 Nicollet Mall, Minneapolis, MN 55401
People's Cooperative Power
Dairyland Power Cooperative

Misc/kroening/strengthlr

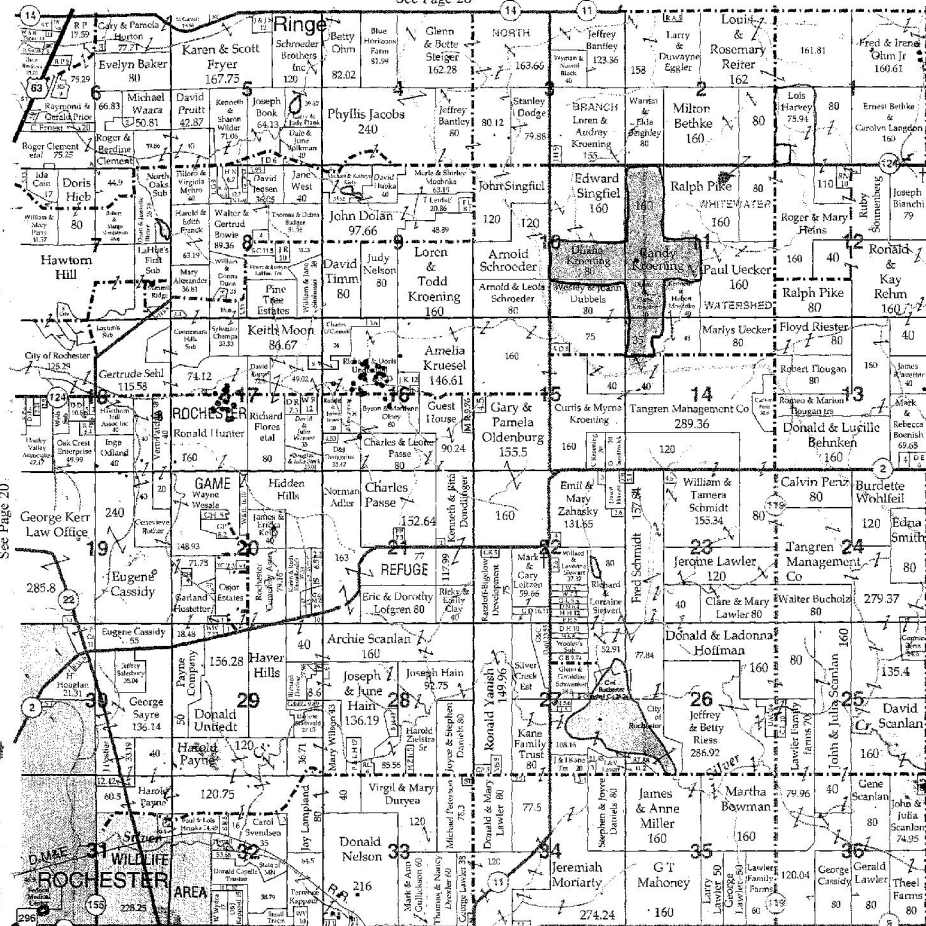
I-245-002

Your comment has been noted. The criteria used to route the transmission line is described in the Macro Corridor Study which is available on the RUS website at:
<http://www.usda.gov/rus/water/ees/eis.htm>. These criteria and routing process will be addressed in the Draft Environmental Impact Statement. The project is still in the development and planning stages and the utilities have not yet permitted a route for the transmission line.

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See Page 26



See Page 16



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